

**REMARKS**

This amendment responds to the Office Action dated September 19, 2007, in which the Examiner rejected claims 1-38 under 35 U.S.C. § 102(e).

Applicants respectfully request the Examiner acknowledge receiving certified copies of the priority documents from the International Bureau.

As indicated above, claims 1-4, 6-12, 15-23 and 25-26 have been amended for stylistic reasons and to make explicit what is implicit in the claims. The amendments are unrelated to a statutory requirement for patentability.

Claim 1 claims a copyright management system, claim 6 claims a copyright management apparatus, claim 11 claims an apparatus for receiving copyrighted information contents, claim 23 claims a method of managing lease of copyrighted information contents and claim 35 claims a recording medium for recording copyrighted information contents. The system, apparatus, method and recording medium include adding utilization condition information to copyrighted information contents. The copyrighted information contents are automatically erased based on the utilization condition information.

By adding utilization condition information to copyrighted information contents and by automatically erasing the copyrighted information contents based on the utilization condition information, as claimed in claims 1, 6, 11, 23 and 35, the claimed invention provides a system, apparatus, method and recording medium providing a rigid copyright management mechanism in which illegal copying of copyrighted material is prevented. The prior art does not show, teach or suggest the invention as claimed in claims 1, 6, 11, 23 and 35.

Claims 1-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Weatherly et al.* (U.S. Patent No. 6,049,784).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 102(e). The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Weatherly et al.* appears to disclose a computer system which monitors payments received and directs collection process until an account becomes current or is closed (Col. 7, lines 64-67). Nothing in *Weatherly et al.* shows, teaches or suggests automatically erasing copyrighted information contents based on utilization condition information as claimed in claims 1, 6, 11, 23 and 35. Rather, *Weatherly et al.* merely discloses a computer system which monitors the status of accounts, and directs collection process until an account becomes current or is closed. Applicants respectfully point out that closure of a financial account does not erase the information contained in the account

Additionally, *Weatherly et al.* merely discloses a computer system which reports payments to a landlord based upon a leasehold (Col. 1, lines 10-59). The computer system monitors the tenants payments, reports account activity to the landlord and sends out necessary collection information if required (Col. 5, line 60 – Col. 7, line 67).

Thus, *Weatherly et al.* merely discloses monitoring payments between a landlord and tenant. Nothing in *Weatherly et al.* shows, teaches or suggests adding utilization condition information to copyrighted information contents as claimed in claims 1, 6, 11 and 23. Rather, *Weatherly et al.* only discloses monitoring payments of a tenant to a landlord.

Applicants respectfully traverse the Examiner's citation of *Weatherly et al.* *Weatherly et al.* is directed to method of monitoring payments between a tenant and landlord. However, as claimed in claims 1, 6, 11, 23 and 35, the claimed invention is directed to copyright management of rented/leased copyrighted material. Nothing in *Weatherly et al.* shows, teaches or suggests, copyright management of leased/rented copyrighted material.

Since *Weatherly et al.* is not directed to management of copyrighted information contents and does not show, teach or suggest (a) automatically erasing copyrighted information contents based on utilization condition information and (b) adding utilization condition information to copyrighted information contents as claimed in claims 1, 6, 11, 23 and 35, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 6, 11, 23 and 35 under 35 U.S.C. § 102(e).

Claims 2-5, 7-10, 12-22, 24-34 and 36-38 recite additional features. Applicants respectfully submit that claims 2-5, 7-10, 12-22, 24-34 and 36-38 would not have been anticipated by *Weatherly et al.* within the meaning of 35 U.S.C. § 102(e) at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-5, 7-10, 12-22, 24-34 and 36-38 under 35 U.S.C. § 102(e).

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus, it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 05-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

Date: November 28, 2007

By: 

Ellen Marcie Emas  
Reg. No. 32,131  
Tel. (212) 588-0800